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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,338	10/23/2001	Arun P. Gupta	SUNMP024	7269
25920	7590	05/18/2005	EXAMINER	
MARTINE PENILLA & GENCARELLA, LLP			TRAN, QUOC A	
710 LAKEWAY DRIVE			ART UNIT	
SUITE 200			PAPER NUMBER	
SUNNYVALE, CA 94085			2176	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,338

Applicant(s)

GUPTA, ARUN P.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to Amendment A, filed 01/14/2005.
2. Claims 1-12 and 14-20 are pending. Applicants amended claims 1, 8, 11, 14-16 and cancelled claim 13. Claims 1, 11 and 16 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Independents claims 1, 11 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable by Mason US006826716B2 – filed 09/26/2001 (hereinafter Mason), in view of Stone et al. US Pub No. 2002/0107889 A1 - filed 02/08/2001 (hereinafter Stone).

In regard to independent claim 1, executing a computer software test application on a platform (as taught by Mason at col. 15, lines 25-35, a further object of the present invention is to provide a test program for testing J2EE application on a flat form, such as test generator in the J2EE (Java 2 Enterprise Edition), the terms J2EE application/web application is used here in the broadest sense to encompass the executing a computer software test application);

generating test result in results in an Extensible Markup Language (XML) enabled format (as taught by Mason at col. 15, lines 25-35, a further object of the present invention is to provide a test program for testing J2EE application on a flat form, such as test generator in the J2EE (Java 2 Enterprise Edition), wherein the web application via the XML deployment descriptors, and a test generator could generate tests to explicitly related QOS (Quality-Of – Service) of an Enterprise application. The test generator output Java code, wherein the Java xml parser was employed for breaking down element to usable parts (as taught by Mason at col. 2, lines 10-20). The above schema was used in the broadest sense to encompass the claim limitation, such as test resulting in xml enable format).

Mason does not explicitly teach, **and processing the XML enabled test results to create a test summary report**, however (as taught by Stone at page 3, paragraph [0031], wherein a report generator interfaces with the remote data access control facility via the network was capable of performing data analytics while the data is in a markup language format such as XML, the phrase “a report generator interfaces in a markup language format such as XML” is used here in the broadest sense to encompass the processing the XML enabled test results to create a test summary report).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Mason, wherein the test program was perform on the web application producing the out put in Java code enabling the java xml for parsing the out put result into usable parts, to include a means for report generator interfaces in a markup language format such as XML, of Stone’s teaching. One of the ordinary skills in the art would have been motivated to perform such a modification to establish a standard format for

interchanging data via a communication network known as Electronic Data Interchange (EDI) to ensure data compatibility with legacy system (as taught by Stone at page 1, paragraph [0003]).

In regard to independent claim 16, incorporate substantially similar subject matter as cited in claims 1-4, 6 and 8 above, and is similarly rejected along the same rationale.

In regard to independent claim 11, a parser that processes a test execution log file a logical parser that processes the well-formed XML test reports file to produce a logically arranged XML test reports file (as taught by Mason at col. 1, line 65 through col. 2, line 5, provide a mechanism for selecting application behaviors at assembly or deployment time to generate a well-formed XML test reports file),

the logically arranged XML test reports file including test suit tags so as to indicate test reports belonging to particular test suits of a test application (as taught by Mason at col. 1, line 65 through col. 2, line 20, provide a mechanism for selecting application behaviors at assembly or deployment time to generate a well-formed XML test reports file, where in the use of deployment descriptors (text files that specify component behavior in terms of well-defined XML tags), components can be configured to a specific container's environment when deployed, the schema above is used in the broadest sense to encompass the newly added limitation of claim 11);

Mason does not explicitly teach, **an HTML converter parser that converts the logically arranged XML test reports file into an HTML test summary file**, however (as taught by Stone at page 3, paragraph [0031], performing data analytics while the data is in a markup language format such as XML, and publish the analytic results in a pre-defined format such as, the hypertext markup language (HTML) format, or the like to. The phrase, "publish the

analytic results in a pre-defined format such as, the hypertext markup language (HTML) format, or the like to” is used in the broadest sense to encompass the approach of converter parser that converts the logically arranged XML test reports file into an HTML test summary file).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Mason, wherein the test program was perform on the web application producing the out put in Java code enabling the java xml for parsing the out put result into usable parts, to include a means for report generator interfaces in a markup language format such as XML and converter/parser in to predefine format such as html or a like, of Stone’s teaching. One of the ordinary skills in the art would have been motivated to perform such a modification to establish a standard format for interchanging data via a communication network known as Electronic Data Interchange (EDI) to ensure data compatibility with legacy system (as taught by Stone at page 1, paragraph [0003]).

In regard to independent claim 16, incorporate substantially similar subject matter as cited in claims 1 and 11 above, and is similarly rejected along the same rationale.

5. **Dependents claims 2-10, 12, 14-15 and 17-20** are rejected under 35 U.S.C. 103(a) as being unpatentable by Mason US006826716B2 – filed 09/26/2001 (hereinafter Mason), in view of Stone et al. US Pub No. 2002/0107889 A1 - filed 02/08/2001 (hereinafter Stone).

In regard to claims 2-4, 6-9, 14 and 18-19 incorporate substantially similar subject matter as cited in claims 11 and 16 above, and are similarly rejected along the same rationale.

In regard to claim 5, incorporate substantially similar subject matter as cited in claims 16 above, and further in view of the following, and are similarly rejected along the same rationale,

wherein the well-formed XML test reports file is further valid with respect to a Test document type definition (DTD), however (as taught by Stone at page 4, paragraph [0034]),

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Mason, wherein the test program was perform on the web application producing the out put in Java code enabling the java xml for parsing the out put result into usable parts, to include a means for report generator interfaces in a markup language format such as XML, wherein the well-formed XML test reports file is further valid with respect to a Test document type definition (DTD). One of the ordinary skills in the art would have been motivated to perform such a modification to establish a standard format for interchanging data via a communication network known as Electronic Data Interchange (EDI) to ensure data compatibility with legacy system (as taught by Stone at page 1, paragraph [0003]).

In regard to claim 10, incorporate substantially similar subject matter as cited in claims 16 above, and further in view of the following, and are similarly rejected along the same rationale,

includes links to failure description pages, wherein the failure description pages provide a detailed description of a particular test failure (as taught by Mason at col. 7, lines 30-45, since XML is self describing formatted data that required a family of technologies is defined in relation to extend functionality in relation to XML, such as "Xlink," was intended to describe a standard way to add hyperlinks to XML files in collaborating with the rejection set

forth above in claim 16. Examiner reads the above schema in the broadest sense to encompass the xml linking to the failure description pages).

In regard to claim 15 incorporate substantially similar subject matter as cited in claims 10 above, and are similarly rejected along the same rationale.

In regard to claims 12, 17 and 20 incorporate substantially similar subject matter as cited in claims 16 and 5 above, and are similarly rejected along the same rationale.

Response to Argument

6. Examiner has completed a through study of Applicant's Amendments of 01/14/2005, has been fully considered but is moot in view of the new ground(s) of rejection.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272- 4103. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
May 3, 2005



SANJIV SHAH
PRIMARY EXAMINER